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PHA 4159.33 (3203/1B/US)
PATENT

Express Mail No. EV 432654637 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Michael S. South, et al.

Art Unit 1624

Serial No. 10/680,723

Filed October 7, 2003

Confirmation No. 2648

For SUBSTITUTED POLYCYCLIC ARYL AND HETEROARYL PYRIMIDINONES
USEFUL FOR SELECTIVE INHIBITION OF THE COAGULATION CASCADE

Examiner V. Balasubramanian

September 9, 2004

RESPONSE TO RESTRICTION REQUIREMENT

TO THE COMMISSIONER FOR PATENTS,

SIR:

In response to the Office action mailed August 18, 2004, in which an election of a group of claims and a single disclosed species for prosecution on the merits was requested.

Applicants hereby elect the claims of Group II, claims 1-11, 17-19, 25-27, 33-49, and 51-107 drawn to compounds of the formula shown in claim 1 and others wherein M is R¹-C (pyrimidine), composition and method of use.

In response to the Examiner's request to elect a single disclosed species pursuant to 35 U.S.C. §121, applicants hereby elect the compound of claim 77, wherein M is CH, Ψ is NH, A is a bond, B is isopropyl, R² is 3-amino-5-carboxyphenyl, K is -CH₂-, E⁰ is C(O)N(H), and Y⁰ is 4-amidinobenzyl. Claims 1, 2, 17-19, 39, 49, 52, 70-75, and 77 read on the elected species.

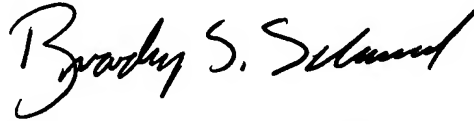
According to M.P.E.P. §809.02(c), an examiner's action subsequent to an election of species should include a complete action on the merits of all claims readable on the elected species and according to M.P.E.P. §809.02(e), whenever a generic claim is found to be allowable in substance, action on the species claims shall thereupon be given as if the generic claim were allowed. Thus, if it is determined that the elected species is patentable, it is incumbent upon the Office to search additional species that fall within any allowable generic claims.

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Applicants reserve the right to file divisional applications directed to the non-elected subject matter.

Further, the Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in black ink, reading "Bradley S. Schammel". The signature is written in a cursive, flowing style.

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